

# COUNTY OF LOS ANGELES

## **DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE ALHAMBRA, CALIFORNIA 91803-1331 Telephone: (626) 458-5100 http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO: P.O. BOX 1460 ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: GME-0

March 25, 2008

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, CA 90012

**Dear Supervisors:** 

PUBLIC HEARING ON ACCEPTANCE OF REVISIONS
TO TITLE 21 AND TITLE 26 RELATING TO PLAN CHECK FEES
FOR THE GEOTECHNICAL REVIEW OF GRADING PLANS, BUILDING PLANS,
AND SUBDIVISIONS
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)

## IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

- 1. Find that the proposed ordinance is exempt from the California Environmental Quality Act for the reasons cited in this letter.
- Adopt the proposed ordinance, which revises existing fees charged in connection with the review of geotechnical reports, geotechnical site inspections, and the geotechnical review of building and grading plans for private development.

## PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Department of Public Works (Public Works) has performed a study of the current fee structure for its geotechnical review activities related to building permits and subdivision entitlements versus the cost of providing the services. This study indicates that the fees currently charged for these activities are not sufficient to recover the estimated reasonable cost of performing these activities. The proposed ordinance, if adopted, will increase the fees charged by the County for the review of geotechnical

The Honorable Board of Supervisors March 25, 2008 Page 2

reports, geotechnical site inspections, and the geotechnical review of building and grading plans to an amount sufficient to recover the estimated reasonable cost of performing these activities.

### Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Fiscal Responsibility (Goal 4) as the proposed ordinance, if adopted, will revise the fees charged for the County's review of geotechnical reports, geotechnical site inspections, and the geotechnical review of building and grading plans to more accurately reflect the estimated reasonable cost of these activities, and thereby provide sufficient funds for full recovery of all related costs associated with these activities.

### FISCAL IMPACT/FINANCING

If adopted, the proposed ordinance will increase the revenues generated from the fees charged for the County's geotechnical review activities to an amount sufficient to recover the estimated reasonable cost of performing these activities.

## FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The County is authorized to impose fees to defray the costs incurred in the review and processing of subdivision maps and building permits (see Government Code Section 66451.2 and Health and Safety Code Section 17951).

Pursuant to Sections 66014 and 66016 of the Government Code, permit fees charged by local agencies generally must not exceed the estimated reasonable cost of the regulatory activities for which the fees are charged.

Pursuant to Sections 66016 and 66018 of the Government Code, prior to approving an increase in an existing fee, the Board of Supervisors must hold a public hearing at which oral or written presentations may be made, as part of a regularly scheduled meeting.

Notice of the time and place of the meeting must be published in accordance with Government Code Section 6062a.

The Honorable Board of Supervisors March 25, 2008 Page 3

Additionally, notice of the time and place of the meeting, including notice that the proposed fee increase is available to the public, must be mailed at least 14 days prior to the meeting to any interested party who files a written request with the Clerk of the Board of Supervisors for mailed notice of such meetings. However, as of the date of this letter, no such valid written request was on file with Public Works, the Chief Executive Office or the Executive Office of the Board of Supervisors.

Pursuant to Section 66017 of the Government Code, any action adopting a fee or charge, or increasing a fee or charge adopted, upon a development project, as defined in Section 66000, which applies to the filing, accepting, reviewing, approving, or issuing of an application, permit, or entitlement to use shall be effective no sooner than 60 days following the final action of the adoption of the fee or charge or increase in the fee or charge.

The Auditor-Controller has reviewed and approved the fee revisions contained in the proposed ordinance.

The Land Development Advisory Committee and the Building Industry Association have been briefed on the proposed fee increase. Although there was a comment about the timing of the proposed fee increase, neither organization voiced objection.

The fee structure for providing these services was established in 2002.

The proposed ordinance has been reviewed and approved as to form by County Counsel.

#### **ENVIRONMENTAL DOCUMENTATION**

Adoption of the proposed ordinance is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273(a) of the California Environmental Quality Act Guidelines.

The Honorable Board of Supervisors March 25, 2008 Page 4

# **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no adverse impact on current projects and services. The proposed fee increase will provide sufficient funding to support the current level of geotechnical review activities.

## CONCLUSION

Please return one adopted copy of this letter and ordinance to Public Works.

Respectfully submitted,

DEAN D. EFSTATHIOÙ

Acting Director of Public Works

MAM:ss

Attachment (3)

c: Chief Executive Office (Lari Sheehan) County Counsel

# INSTRUCTION SHEET FOR PUBLISHING LEGAL ADVERTISEMENTS

TO: Executive Officer

Board of Supervisors County of Los Angeles

FROM: Department of Public Works

Geotechnical and Materials Engineering Division

## NOTICE OF HEARING GEOTECHNICAL REVIEW FEE INCREASE

### **Publishing**

Pursuant to Section 66018 of the California Government Code, prior to adopting an ordinance adopting a new fee, a local agency shall hold a public hearing. In accordance with Section 6062a of the California Government Code, the Executive Officer shall publish notice of the hearing. Publication of the notice shall be for ten days in a newspaper regularly published once a week or more often. Two publications, with at least five days intervening between the dates of the first and last publication, not counting such publication date are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the tenth day, including therein the first day.

Forward five reprints of the attached advertisement to the County of Los Angeles Department of Public Works, Geotechnical and Materials Engineering Division, P.O. Box 1460, Alhambra, California 91802-1460.

Should there be any questions regarding this matter, please contact Mr. Michael A. Montgomery, of this office, at (626) 458-4923, Monday through Thursday, 7 a.m. to 5 p.m.

MAM:ss P:GMEPUB\SEC\BRDLT\HEARING

Attach.

# NOTICE OF HEARING GEOTECHNICAL REVIEW FEE INCREASE

Notice is hereby given that a public hearing will be held by the Board of Supervisors regarding an increase to the fees charged by the County in connection with the review of geotechnical reports, geotechnical site inspections, and the geotechnical review of building and grading plans.

Said hearing will be held on Tuesday, March 25, 2008, at 9:30 a.m., in the hearing room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

The proposed fee increase will be available at the Executive Office of the Board of Supervisors, Kenneth Hahn Hall of Administration, 500 West Temple Street, Room 383, Los Angeles, California 90012.

The Board of Supervisors will consider and may adopt the fee increase. Further notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please contact Michael Montgomery of the County of Los Angeles Department of Public Works, at (626) 458-4923, Monday through Thursday, 7 a.m. to 5 p.m.

Upon 72 hours notice, the County can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, documents are available at the Kenneth Hahn Hall of Administration in Los Angeles (500 West Temple Street), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

Si no entiende este anuncio o necesita mas informacion, por favor llamar a Maria Echeverria al (626) 458-4923, de lunes a jueves, 7 a.m. a 5 p.m.

Sachi A. Hamai
Executive Officer-Clerk

of the Board of Supervisors

#### **ANALYSIS**

This ordinance amends Title 21 - Subdivisions and Title 26 - Building Code of the Los Angeles County Code, to revise existing fees charged by the County for its geotechnical review in connection with development projects.

RAYMOND G. FORTNER, JR. County Counsel

By

MARK T. YANAI

**Principal Deputy County Counsel** 

**Property Division** 

MTY:di

11/30/07 (requested)

1/15/08 (revised)

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An ordinance amending Title 21 - Subdivisions and Title 26 - Building Code of the Los Angeles County Code, to revise existing fees for the review of geotechnical reports, geotechnical site inspections, and the geotechnical review of building and grading plans.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 21.62.080 is hereby amended to read as follows:

21.62.080 Geotechnical report review fees.

Upon submission of geotechnical (geological and/or soils) reports in accordance with Sections 21.40.040 and 21.40.080, to be reviewed by the county engineer, the subdivider shall pay, to the department of public works, a report review fee in the following amounts based upon the volume of proposed grading as depicted on the tentative map:

- 1. \$1,5402,170 for proposed grading between 0--1,000 cubic yards,
- 2. \$<del>2,615</del>3,686 for proposed grading between 1,001--10,000 cubic yards,
- 3. \$3,2054,513 for proposed grading between 10,001--100,000 cubic yards,
- 4. \$<del>3,825</del><u>5,386</u> for proposed grading between 100,001--500,000 cubic yards,

- 5. \$3,8255,386 for proposed grading greater than 500,000 cubic yards plus \$100138 per 100,000 cubic yards of grading in excess of 500,000 cubic yards,
- 6. \$92154 per hour for the review of geotechnical addenda reports beyond third review.

. . .

SECTION 2. Section 107.9 of Title 26 is hereby amended to read as follows:

107.9 **Other Fees.** The following fees shall be paid before a permit is issued, inspection made, occupancy allowed or device operated:

- For geotechnical site review and processing geology or engineering reports submitted pursuant to Sections 110, 111, 113, 1804, and Appendix J. Sections J104.3 and J104.4:
  - A. Geotechnical review of building plans and geotechnical reports

Geotechnical site review (to determine if geotechnical reports are required)......\$316.80376.00

Geotechnical report, site, and plan review (review of initial and two addenda reports)

The fee shall be .4250% of the valuation of the proposed structure

However, the minimum fee shall be ......\$627.60928.00

And the maximum fee shall be ......\$4,289.305,982.00

Review of geotechnical addenda beyond third review......\$110154.00/hr.

B. Geotechnical site inspections and Geotechnical report review PRIOR to building permit application

Geotechnical site review (to determine if geotechnical reports are Required ......\$316.80376.00

Geotechnical report and plan review prior to building permit application (per review) ......\$627.60745.00

(	C.	Geotechnical review of grading plans	
		1 – 1,000 cubic yards	.\$ <del>521<u>614</u>.00</del>
		1,001 – 10,000 cubic yards	.\$ <del>698.50</del> <u>821</u> .00
		10,001 – 100,000 cubic yards	.\$ <del>955.10</del> 1,119.00
		100,001 – 500,000 cubic yards	.\$ <del>1,258</del> <u>1,471</u> .00
		500,001+ cubic yards	.\$ <del>1,258.00+</del> <del>\$79.10</del> 1,471.00+ <u>\$92.00</u> /100,000 cubic yards of additional grading
[	D.	Geotechnical report and for grading plan review (review of in reports)	iitial and two addenda
		1 – 1,000 cubic yards	.\$ <del>1,093.80</del> <u>1,287.00</u>
		1,001 – 10,000 cubic yards	.\$ <del>1,643.80</del> <u>1,930.00</u>
		10,001 – 100,000 cubic yards	.\$ <del>1,996.40</del> <u>2,343.00</u>
		100,001 – 500,000 cubic yards	.\$ <del>2,737.60</del> <u>3,216.00</u>
		500,001+ cubic yards	3,216.00+\$138.00/ 100,000 cubic yards of additional grading
F	₹eı	view of Geotechnical addenda beyond third review	.\$ <del>110<u>154</u>.00</del>

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